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ABSTRACT

This manual is designed to aid secondary school administrators and other school personnel in avoiding illegal discrimination--while sustaining educational standards--through proper planning and managing of vocational education programs. Chapter 1 concerns civil rights compliance in vocational education by superintendents and local directors through use of this manual and with aid from staff of the State Division of Vocational Education, especially those designated as "civil rights coordinating staff." Organization, objectives, and use of the manual are outlined. Staff technical assistance functions are listed. Chapters 2 and 3 focus on students and staff, respectively, and preventing discrimination and promoting equity at each stage of the educational/staffing processes. Both are based on three basic standards: (1) detection, prevention, and elimination of original discrimination; (2) detection, prevention, and elimination of reverse discrimination; and (3) upholding of educational/employment standards. Furthermore, chapter 2 identifies ninety checkpoints/stages in the educational process, and chapter 3 identifies forty-seven checkpoints/stages in the staffing process at which discrimination should be avoided. Some checkpoints are required, others are suggested. Spaces are provided for indicating if these checkpoints are judged as being met (yes or no) as well as for indicating those types of suggested documentation it is felt could be provided. (YLB)

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ED195758

Technical Assistance Manual for Civil Rights in Vocational Education
(First Edition)

U.S. DEPARTMENT OF HEALTH
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
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October 1980

Planning and Program Improvement Section
Division of Vocational Education
North Carolina Department of Public Instruction
Raleigh, North Carolina 27611

CE027 385

Foreword

Federal statutes prohibit discrimination on the basis of race, color, national origin, sex, and handicap.

The U. S. Department of Education and the Office for Civil Rights have recently issued guidelines which require that each state develop Methods of Administration for Civil Rights Compliance for use by state and local educational agencies in ensuring that such illegal discrimination does not occur in vocational education programs. The North Carolina Department of Education developed a Methods of Administration which was approved by the State Board of Education at their March 1980 meeting.

The Methods of Administration provides for an examination of local vocational programs by the state educational agency, as required by the guidelines, in order to detect civil rights compliance problems. The Office for Civil Rights retains oversight responsibilities in order to ensure that examination of local programs is adequately performed by the state educational agency.

This document, The Technical Assistance Manual for Civil Rights in Vocational Education, has been developed to aid local secondary school administrators and other school personnel in avoiding illegal discrimination through proper planning and managing of vocational education programs. The manual is designed to serve as an aid; however, it is not comprehensive enough to cover all aspects of civil rights requirements. Special civil rights problems may be referred to staff within the Division of Vocational Education who have been trained to deal with them.

Use of the Technical Assistance Manual for Civil Rights in Vocational Education is entirely voluntary.

Appreciation is expressed to the many persons, inside the Department of Education as well as outside the agency, who have contributed to the development of the Methods of Administration and this Manual.

Clifton B. Belcher
State Director of Vocational Education

4 DEC 30 1980

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Those who patiently reviewed the Manual in various drafts included: V. B. Hairr, Associate Director, Division of Vocational Education; Roscoe Hager, Director of Personnel Services, Department of Community Colleges; Lacy Presnell, Jr., Director, Division of School Planning; Betty Oxendine Mangum, Director, Division of Indian Education; Doris R. Jacobs, Coordinator of Sex Equity Programs, Department of Community Colleges; Raymond L. Jefferies, Jr., Coordinator of Student Development Services, Department of Community Colleges, Kenneth S. Oleson, Coordinator of Vocational Education Programs, Department of Community Colleges; Roger S. Worthington, Department of Community Colleges; Morris Johnson, Director of Federal Compliance Services, Department of Community Colleges; Bob Mullen, Associate Director, Division of Vocational Education; C. V. Tart, Chief Consultant, Division of Vocational Education; June Atkinson, Chief Consultant, Division of Vocational Education; Horace Robertson, Chief Consultant, Division of Vocational Education; Nancy Raynor, Chief Consultant Division of Vocational Education; Marjory Unrath, Chief Consultant, Division of Vocational Education; Ralph Johnston, Chief Consultant, Division of Vocational Education; Tommie Stephens, Chief Consultant, Division of Vocational Education; Ted Rollins, Chief Consultant, Division of Vocational Education; M. S. Sanders, Associate Director, Division of Vocational Education; John Hassell, Regional Coordinator, Division of Vocational Education; Carter Newsome, Regional Coordinator, Division of Vocational Education; Joan Smith, Regional Coordinator, Division of Vocational Education; John Huffman, Regional Coordinator, Division of Vocational Education, Norwood Bostic, Regional Coordinator, Division of Vocational Education; Earl Price, Regional Coordinator, Division of Vocational Education; Tom Bridges, Regional Coordinator, Division of Vocational Education; James Gibson, Regional Coordinator, Division of Vocational Education; Mike Latta, Executive Director, State Advisory Council on Education; Jim Jackman, Public Awareness Specialist, Curriculum Design Unit, Division of Vocational Education; Thelma Lennon, Deputy Assistant State Superintendent for Area of Student Services, Department of Public Instruction; Kenneth Brantley, Local Director for Halifax County; Ted Roland, Local Director for Alleghany and Ashe Counties; and Bob Trogdon, Local Director for Randolph County.

The Manual is not perfect, of course, but none of the persons named above should be blamed for this. Their gracious assistance is gratefully acknowledged.

Bryant A. Lindsey, Project Coordinator
Program Improvement Unit
Division of Vocational Education

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Technical Assistance Manual for Civil Rights in Vocational Education (First Edition)

Highlights	Summary
Why the Technical Assistance Manual for Civil Rights in Vocational Education has been devised.	Particularly in vocational education, civil rights compliance of local and state educational agencies is likely to be the focus of major federal attention over the next few years. The Technical Assistance Manual for Civil Rights in Vocational Education has been devised to help local educational agencies in coping with both "original" and "reverse" discrimination -- while at the same time sustaining educational standards.
Optional Use of Manual	However, use of the Technical Assistance Manual by local agencies is entirely optional.
Legal Bases for Manual	The Manual is soundly based on the major sources of civil rights requirements for vocational education; nevertheless the Manual has limitations. A much longer manual could have been prepared without covering all of the civil rights problems with which local administrators could be confronted; most potential problems, however, have been addressed.
Limitations of Manual	
The "Typology of Discrimination" -- Basis for Organization of the Manual	The Manual is based on a "typology of discrimination". The typology has three dimensions: (1) Who is discriminated against, ("Classes of Personnel"), (2) Why they are discriminated against, ("Bases of Discrimination"), and (3) When they are discriminated against, ("Stages of Discrimination During Personnel Flow"). The Manual also shows what may be done to correct problems identified using the "typology of discrimination."
"Checkpoints" Dealing with Flow of Students	Chapter II, which is based on the flow of students, identifies some ninety (90) "checkpoints" and three (3) basic standards. Chapter III, on the other hand, identifies some forty-seven (47) "checkpoints" and three (3) basic standards dealing with the flow of staff. "Checkpoints" are classified as either "required" or "suggested" based on analysis of published regulations.
"Checkpoints" Dealing with Flow of Staff	
How the Manual May Be Used	Local personnel may desire to use the Manual in many ways; suggestions on how to use the Manual are presented.
Other Technical Assistance Available from the Division of Vocational Education	Finally, the Manual describes direct technical assistance available from the Division of Vocational Education. Each staff member of the Division is expected to perform certain minimum technical assistance functions. In addition, certain staff have been assigned special functions. These special staff members can assist local educational agencies with particularly difficult civil rights problems, if asked.

Chapter I

Coping With Civil Rights: How Superintendents and Local Directors Can Cope With Civil Rights Compliance in Vocational Education

Chapter I. Coping with Civil Rights: How Superintendents and Local Directors Can Cope with Civil Rights Compliance in Vocational Education.

Civil rights compliance is becoming increasingly complex and difficult for local and state educational agencies. Particularly in vocational education, civil rights compliance of local and state educational agencies is likely to be the focus of major federal attention over the next few years.

Even with the best of intentions to avoid discrimination based on race, sex, or handicap; local and state educational agencies can find themselves under attack for "original" or "reverse" discrimination -- or both. Further complications for local and state administrators are presented by the fact that attacks against discrimination based on race, sex, or handicap sometimes become attacks against traditional standards for students and staff.

In North Carolina, considerable thought has been given to the problem of civil rights compliance in vocational education. The State Director of Vocational Education has directed that a technical assistance program be devised to help local educational administrators.

A. The Technical Assistance Manual for Civil Rights in Vocational Education.

This first edition of the Technical Assistance Manual for Civil Rights in Vocational Education is one response to the needs of local vocational administrators with respect to civil rights compliance. The Manual has limitations; even a much longer manual could not confer absolute protection against all possible allegations of discrimination which may be visited upon local vocational administrators by federal authorities. Nevertheless, the Manual is soundly based on the major sources of civil rights requirements for education, in general, and vocational education, in particular. These sources are listed in what we have termed the "Basic Bibliography". Sources for particular provisions in the Manual are shown in the "Legal Citations".

Subsequent editions of the Manual will incorporate such improvements as are suggested based on field experience.

1. Organization of the Manual.

The Manual is organized on the basis of a "typology of discrimination." This typology has three dimensions: (1) Who is discriminated against ("Classes of Personnel"), (2) Why they are discriminated against ("Bases of Discrimination"), and (3) When they are discriminated against ("Stages of Discrimination During Personnel Flow"). Or, to simplify, the "typology of discrimination" is based upon the "Who-Why-When" of discrimination; however, the Manual is based not only on the "Who-Why-When" of discrimination but upon "Who-Why-When-What" of discrimination. The Manual suggests "What" can be done to correct problems identified with

the "typology of discrimination." The typology of discrimination is shown schematically below:

1) Who is discriminated against: "Classes of Personnel".
   a) Students.
   b) Staff.

2) Why they are discriminated against: "Bases of 'Original' and 'Reverse' Discrimination".
   a) Race, Color, National Origin.
   b) Sex.
   c) Handicap.
   d) Other.

3) When they are discriminated against: "Stages of 'Original' and 'Reverse' Discrimination During Personnel Flow."
   a) Students.
      1)) Recruitment.
      2)) Assessment, Admissions, and Transfers.
      3)) Grading and Placements.
      4)) Graduation, Placement, and Follow-Up.
   b) Staff.
      1)) Recruitment.
      2)) Hiring.
      3)) Promotion.
      4)) On-the-Job Status.
         a)) Pay.
         b)) Assignment of Duties.
         c)) Disciplinary Procedures.
         d)) Grievance Procedures.
         e)) Benefits.
      5)) Retention and Retirement.

Chapters II and III, respectively, are outlined on the basis of "personnel flow" as shown in 3a) and 3b) above. Chapter II provides for some ninety (90) checkpoints and three (3) basic standards dealing with the flow of students. Of the checkpoints, we have listed some sixty-four (64) as "required" by federal regulations and the Office for Civil Rights. We have listed some twenty-six (26) as "suggested" for the protection of local educational agencies. Chapter III provides for some forty-seven (47) checkpoints and three (3) basic standards dealing with the flow of staff. Of these checkpoints thirty-one (31) have been listed as "required" and sixteen (16) as "suggested".

These checkpoints and their status as "required" or "suggested" are subject to revision based upon our experience with the Manual.

2. Objectives of the Manual.

The primary objectives of the Manual are:

1) To assist in the detection of "original" and "reverse" discrimination through the elaboration of a "typology of discrimination" based upon the (a) classes of personnel which may be discriminated against, (b) bases of "original" and "reverse" discrimination, and (c) stages of "original" or "reverse" discrimination during the flow of personnel.

2) To assist in the specification of preventive and remedial measures which are "required" or "suggested" for the types of discrimination identified with the "typology of discrimination". These measures are indicated through "checkpoints" and "suggested documentation".

3) To specify the legal bases for all required measures.

4) To meet basic standards for technical assistance activities in civil rights.

These basic standards are listed below:

1) Scientific Soundness: Are the technical assistance measures and techniques scientifically sound; i.e. are they fully informed by the latest relevant behavioral science?

2) Legal Soundness: Are the measures and techniques legally sound?

3) Local Initiative in Technical Assistance: Is use of the Technical Assistance Manual truly voluntary for local educational agencies?

4) Effectiveness Against "Original" Discrimination:
   1) Prevention.
   2) Remediation.

5) Bases of Discrimination: Do the measures and techniques cover all the different categories of discrimination?

6) Effectiveness in Avoiding "Reverse" Discrimination:
   1) Prevention.
   2) Remediation.

7) Effectiveness in Avoiding Erosion of Educational and Employment Standards.

8) Focus on Information for Students, Etc.: Do the measures and techniques focus, first of all, on making valid information available to students while they make their choices, etc.?

9) Documentary Procedures for Local Educational Agencies: Do the measures and techniques provide documentary procedures for personnel decisions which are sufficiently detailed to protect local educational agencies against unjustified charges of "original" and "reverse" discrimination?

The objectives and standards for the Manual provide a basis for evaluation and improvement of the Manual in subsequent editions.

3. Use of the Manual.

Use of the Manual is predicated upon proper interpretation of data relevant to checkpoints -- by proper personnel at the local level.

Local educational agencies may decide whether and how to use the Technical Assistance Manual for Civil Rights in Vocational Education. How best to use the Manual is a matter to determine upon the basis of local experience. At this point, even recommendations concerning how much time local agencies should spend using the Manual are premature. Nevertheless, some preliminary suggestions may be in order.

a. Interpretation of Checkpoint Data.

All of the checkpoints are worded so that an optimal response is "yes", but the determination of whether conditions for "yes" answers are met will be a matter of judgments, Unfortunately, the judgments of local and state personnel might not always agree with the judgments of personnel from the Office for Civil Rights. Therefore, substantial care is warranted in reaching positive judgements with respect to "required" checkpoints.

There is another reason for caution with respect to checkpoint data. The Manual does not -- and cannot -- cover every possible civil rights problem. Considerable humility is therefore in order in using the Manual. Even if a local educational agency concludes that they can give a positive response to every checkpoint, they may still have civil rights compliance problems.

b. Personnel to Use the Manual.

Virtually all local personnel may have occasion to use the Technical Assistance Manual for Civil Rights in Vocational Education.

1) Superintendents. Detailed involvement of superintendents in use of the Manual is not envisioned -- but certainly not precluded. Superintendents may desire to use the Manual (a) to examine policies and practices of the entire local educational agency which have implications for vocational education, (b) to examine staffing patterns of the entire local educational agency, and (c) to examine methods of the local educational agency for documentation of measures to prevent civil rights violations and unfounded allegations of civil rights violations.

2) Local Directors of Vocational Education. Local directors will probably have to carry the primary burden of civil rights compliance for vocational education at the local level. Thus, local directors may desire to prepare a compilation of pertinent materials based upon the organization of the Manual. First, local directors will probably desire to "flag" all apparent instances of potential problems.

   Second, local directors may work with teachers, vocational counselors, other counselors, and other personnel to determine whether there are in fact discriminatory practices.

   Third, where discrimination is found, local directors may desire to take corrective action.

   Fourth, local directors may want to provide for documentation of the fact that discrimination does not exist where discrimination is not found based on "flagged" instances of potential problems.

   Finally, local directors will probably desire to provide for personnel development of their teachers and counselors based upon their findings using the Manual.

3) Principals. Principals may desire to examine patterns and policies of vocational programs within their schools. The Manual is designed to be applied at the school and programs level as well as at the local agency level. Since all of the problems of the local director must occur first at the school level, principals must be key personnel in civil rights compliance programs.

4) Counselors. Counselors are also crucial in a civil rights compliance program because of their importance in recruitment and admissions to vocational programs. If demand for the Manual is sufficient, a "key", which pinpoints checkpoints of primary concern to counselors, will be developed. In general, counselors might be asked to use the Manual in the following ways:

(a) to examine promotional efforts (e.g. career days, student handbook, notifications of vocational offerings, etc.) to ensure nondiscrimination.

(b) to examine counseling practices and materials to ensure that adequate, non-biased, promotional information is given students.

(c) to examine admission and selection criteria for entry to all vocational classes, courses, or programs.

(d) to examine all tests and usage of tests for vocational students to ensure usage does not have the effect of discriminating.

(e) to be able to document validity of tests, and other admission criteria, etc.

(f) to be able to document nondiscrimination in guidance materials, practices, and policies.

5) Teachers. Both teachers and counselors may be able to identify problems before they become apparent in local data. Indeed many civil rights violations become apparent only during detailed on-site reviews with local teachers and counselors. The judgments of teachers regarding discrimination in their own programs -- and in the programs of their colleagues -- will be weighed very heavily by wise local administrators. Teachers may be asked to do any of the following-- among other things:

(a) to examine practices (e.g. selection criteria, grades, promotions, discipline, etc.) which may or may not appear to be discriminatory.

(b) to work with guidance counselors, principals, and their local directors in identifying problems or potential problems.

(c) to take corrective actions as necessary.

(d) to document nondiscrimination in materials, admissions, and practices.

(e) to maintain adequate records for documentation of non-discrimination at any time.

B. Other Technical Assistance for Superintendents and Local Directors.

Staff of the Division of Vocational Education have been instructed in how to perform technical assistance functions for local educational agencies, if requested. These functions

are separated into two types: (1) minimum civil rights functions for all staff and (2) special civil rights functions for civil rights coordinating staff.

1. Minimum Technical Assistance Functions for All Division Staff.

   Each staff member of the Division is expected to perform the following minimum technical assistance functions, if asked:

   a. Potential Violations -- To recognize "potential" violations from LEA data, on-site visitations (regular school visits, accreditation visits, program reviews, staff inservice meetings, etc.) using "visitation checklists", local applications, and other observational aids.

   b. Additional Needed Information -- To identify additional information needed to determine if 'potential' violations are real violations using the "visitation checklist".

   c. Briefings --To give local personnel briefings on civil rights regulations using the Division of Vocational Education "briefing format" for civil rights, if called upon to do so.

   d. Technical Assistance -- To provide limited technical assistance using the Technical Assistance Manual as required by Division policy and to recognize situations which must be referred to specialized civil rights coordinating staff.

   e. Special Problems -- To handle civil rights problems which are unique or peculiar to the staff member's major area of assignment using the "special problems inventory."

2. Special Technical Assistance Functions by Civil Rights Coordinating Staff.

   Certain staff of the Division have been designated as "civil rights coordinating staff." These staff have special functions as follows:

   a. Coordination -- To coordinate technical assistance for civil rights.

   b. Special Problems -- To provide specialized on-site technical assistance for local problems with which they may be able to deal more effectively than regular staff.
      1) During and immediately after on-site reviews.
      2) At other times.

   c. Tools -- To develop tools for use in technical assistance.
      1) "Briefing format".
      2) "Visitation checklist".
      3) "Minimum functions list".
      4) "Special problems inventory".

5) Technical Assistance Manual.
6) Other products, as required or requested.

d. Inservice -- To inservice local directors and other local staff.
1) Local directors.
a) During Summer Conference.
b) During Spring Meeting.
2) Other local staff

Services of the civil rights coordinating staff may be requested by local directors through:

Vaden Hairr, Associate Director
Planning and Program Improvement Section
Education Building, Room 524
Division of Vocational Education
North Carolina Department of Public Instruction
Raleigh, North Carolina 27611

Telephone: (919) 733-7094

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Chapter II

Students: Preventing Discrimination and Promoting Equity at Each Stage of the Educational Process

Basic Standards:

1. "Original" Discrimination -- Do you have an adequate program for the detection, prevention, and elimination of "original" discrimination based upon race, color, national origin, sex, and handicapped status of students and potential students?

	Yes	No
Race,etc.		
Sex		
Handicap		

2. "Reverse" Discrimination -- Do you have an adequate program for the detection, prevention, and elimination of "reverse" discrimination based upon race, color, national origin, sex, and handicapped status of students and potential students; more specifically, do you avoid "reverse" discrimination in your program to correct "original" discrimination against students and potential students?

	Yes	No
Race,etc.		
Sex		
Handicap		

3. Educational Standards -- Do you avoid any erosion of valid or potentially valid educational standards for students or potential students in your program to deal with "original" discrimination?

	Yes	No
Race,etc.		
Sex		
Handicap		

Chapter II. Students: Preventing Discrimination and Promoting Equity at Each Stage of the Educational Process

A. Recruitment

1. Public Notification and Promotional Literature

a. Prior to the beginning of each school year, do you advise students, parents, employees and the general public that all vocational opportunities will be offered without regard to race, color, national origin, sex, or handicap? (Required)

	Yes (R)	No
Students		
Parents		
Employees		
General Public		

b. Is a brief summary of program offerings and admission criteria included in public announcements along with the name, address, and telephone number of the person(s) designated to coordinate Title IX and Section 504 compliance activity? (Required)

Yes(R)	No

c. Are public notification and promotional literature designed to reach not only the majority community but also minority communities which may not utilize majority media? (Required)

Yes(R)	No

d. If your service area contains a community of national origin minority persons with limited English language skills, are all public notifications and all promotional literature distributed to that community in its language? (Required)

Yes(R)	No

2. Promotional Activities

a. Are all promotional efforts (including activities of school officials, counselors, and vocational staff) undertaken in a manner that will not create or perpetuate stereotypes or limitations based on race, color, national origin, sex, or handicap? (Examples of promotional efforts are career days, parents' nights, shop demonstrations, visitations by groups of prospective students and by representatives of business and industry.) (Required)

Yes(R)	No

b. Do materials that are part of promotional efforts avoid creation or perpetuation of stereotypes through text or illustration? (To the extent possible they should portray males or females, minorities or handicapped persons in programs and occupations in which these groups traditionally have not been represented.) (Required)

Yes(R)	No

SUGGESTED DOCUMENTATION
(Check those you feel you could provide.)

1. ___ Copies of announcements to students and employees along with description of dissemination.

___ Copies of announcement to parents along with description of dissemination.

___ Copies of press releases, newspaper articles, newspaper advertisements for both majority and minority communities.

a. ___ Identification by race, color, national origin, sex, and handicap of staff and students involved in career days, parents' nights, shop demonstrations, etc.

b. ___ Promotional materials.

c. Where recruitment activities involve the presentation or portrayal of vocational and career opportunities, do the curricula and programs described cover a broad range of occupational opportunities; and do you avoid limiting exposure of opportunities to students or potential students to whom the presentation is made on the basis of race, color, national origin, sex, or handicap? (Required)

Yes(R)	No

c. ___ Records of presentations.

d. Do recruiting teams include persons of different races, colors, national origins, sexes, and handicaps? (Required)

Yes(R)	No

d. ___ Identify members of recruiting teams by race, color, national origin, sex, and handicap.

e. Does your school provide an opportunity for all students to preview all vocational education programs? (Suggested only)

Yes(S)	No

e. ___ Assembly presentations.
___ Career Days.
___ Visitations by groups of prospective students.

3. Recruitment During Prevocational Education

a. Are all students at the elementary and junior high school level provided with prevocational exploration programs and opportunities? (Suggested, but not required, in order to equalize opportunities for exposure to vocational education before dropout rates develop differentially on the basis of race or sex, for example.)

Yes(S)	No

a. Policy statement included in:
___ Student handbook.
___ Course guides.
___ Letters to parents.
___ Board minutes.
___ Schedule of courses.

b. If prevocational exploration (including industrial arts, introduction to vocations, and the like) is provided in your local educational agency, do students have the opportunity to participate regardless of race, color, national origin, sex, and handicap? (Required)

	Yes(R)	No
Race,etc.		
Sex		
Handicap		

b. ___ Enrollment figures by race, color, national origin, sex, and handicap.

c. Where scheduling of exploratory courses arranged in such a way that it does not result in discrimination on the basis of race, color, national origin, sex, and handicap? (E.g. Are home economics and industrial arts courses scheduled at the same time?) (Required)

Yes(R)	No	N/A

c. ___ Course schedules.

d. Is vocational education orientation a part of the general orientation for new students or students at feeder schools? (Suggested)

Yes(S)	No

d. ___ Agendas of vocational orientation.
___ School bulletin boards.

4. Recruitment During Other Vocational Courses

a. Do teachers and counselors actively orient students to courses nontraditional to their race, color, national origin, sex, and handicap? (Suggested only)

	Yes(S)	No
Race,etc.		
Sex		
Handicap		

a. ___ Slide presentations.
___ Parents' night agenda.
___ Description of in-school demonstrations and tours.
___ Description of field trips to various industries and businesses.
___ Descriptions of guest speakers.
___ Units on the effects of stereotyping in courses such as English, social studies, and vocational education.
___ An information packet for parents about vocational courses.

b. If you have an orientation system, does this system show people of all races, colors, national origins, sexes, and handicapping conditions participating in vocational courses and careers? (Required)

	Yes(R)	No
Race,etc.		
Sex		
Handicap		

b. ___ Slide presentations.
___ Career day agendas.
___ Orientation materials.
___ Guest speakers (description).
___ Occupational fairs.
___ Research papers, debates, current event days, or sessions by students.
___ Resource persons from business and industry depicting non-traditional roles.
___ Invitations to speakers in non-traditional roles to speak about the issue of sex bias.
___ A listing of pioneering people in all occupations from newspaper clippings and local individuals.
___ A nontraditional workers' week.
___ A career resource center in the library, vocational cluster, or in the counseling center.

c. Are all students encouraged to consider seriously all programs of study and to select vocational courses on the basis of their individual career goals? (Suggested only)

Yes(S)	No

c. ___ Materials
___ Description of practices
___ Student handbook

d. Do protocols exist for information provided to individual students? (Suggested for the protection of local educational agencies but not required)

Yes(S)	No

d. ___ Protocols.

e. Do individual students "sign off" on acknowledgments that they have received information contained in protocols and that they make their enrollment decisions freely and without coercion? (Suggested for the protection of local educational agencies but not required)

Yes(S)	No

e. ___ "Sign off" forms.

f. Do you have a system for identifying students interested in nontraditional vocational courses? (Suggested only)

	Yes(S)	No
Race,etc.		
Sex		
Handicap		

f. ___ Career interest surveys.
___ Career information materials.

g. Are all student fees eliminated which might exclude a disproportionate number of students from participating in vocational courses based on race, color, national origin, sex and handicap? (Required)

	Yes(R)	No
Race,etc.		
Sex		
Handicap		

g. ___ A listing of courses requiring fees.
___ Justification and description of the use of such fees.
___ Student enrollment data reflecting, proportion by race, color, national origin, sex, and handicapped status in courses requiring fees.
___ Student enrollment data for students who cannot pay fees.

5. Counseling and Guidance

a. Are counseling materials and activities (including student program selection and career/employment selection) avoided if they discriminate illegally on the basis of race, color, national origin, sex, and handicap? (Required)

Yes(R)	No

a. ___ Nondiscriminatory materials.
___ List of tests and interest inventories administered.
___ Documentation of feedback from students.

b. Do vocational counselors and other counselors avoid directing or urging any student to enroll in a particular career or program, or measure or predict a student's prospects for success in any career or program, based upon the student's race, color, national origin, sex, or handicap? (Required)

Yes(R)	No

b. ___ Patterns of enrollments.

c. Do counselors avoid counseling handicapped students toward more restrictive career objectives than non-handicapped students with similar abilities and interests? (Required)

Yes(R)	No

c. ___ Counselors' logs or records.
___ Feedback from students.

d. If a vocational program disproportionately enrolls male or female students, minority or nonminority students or handicapped students, have adequate steps been taken to insure that the disproportion does not result from unlawful discrimination in counseling activities? (Required)

Yes(R)	No

d. ___ A description of the internal procedures being used to ensure that appraisal and counseling materials do not discriminate on the basis of race, color, national origin, sex, and handicap.
___ Surveys of student needs and vocational preferences.
___ Surveys to reveal staff's sexist and/or racist attitudes.
___ Description of ways in which counselors determine if any females are interested in traditionally male fields and males in traditionally female fields (also in terms of minorities and the handicapped).

e. To insure that counselors effectively communicate with national origin minority students who have limited English language skills and with students who have hearing impairments, are interpreters made available or are other appropriate steps taken? (Required)

Yes(R)	No	N/A

e. ___ List of limited English-speaking students and methods utilized for communication with them.

f. Do all descriptive materials relating to counseling and guidance services make clear that all services are available to all students regardless of their race, color, national origin, sex, or handicap? (Suggested Only)

Yes(S)	No

f. ___ Copy of descriptive materials.

g. Do all manuals, procedural guidelines, or other documents outlining the responsibilities of counselors or guidance personnel --

- clearly state the responsibilities of personnel for the provision of counseling which does not illegally discriminate on the basis of race, color, national origin, sex, and handicap? (Suggested only)
- provide technical or procedural information without the use of sexist language or sex-stereotyped examples? (Suggested only)

Yes(S)	No

Yes(S)	No

g. ___ Copies of actual documents listed.

h. Are all materials available to students in academic, career, or personal counseling contacts or programs free from implications, in either text, language, or photographs that certain academic, career, or personal choices are more appropriate or "realistic" for students of one race, color, national origin, or sex than another, and for the nonhandicapped? (Suggested only)

	Yes(S)	No
Race,etc.		
Sex		
Handicap		

h. ___ Copies of materials.

i. Have efforts been made to develop counseling techniques which do not discriminate on the basis of race, color, national origin, sex and handicap? (Required)

	Yes(R)	No
Race,etc.		
Sex		
Handicap		

i. ___ List of counseling techniques for "protected groups".
___ List of names of interpreters for the deaf.
___ Discription of inservice training for all counselors.

j. Do counselors suggest or recommend to students that they consider courses or training programs which are nontraditional for their race, color, national origin, sex, and handicap? (Suggested only)

	Yes(S)	No
Race,etc.		
Sex		
Handicap		

j. ___ Slide presentations at student assemblies.
___ Bulleting boards dedicated to nontraditional fields.
___ Agendas of vocational orientation activities.
___ Description of the extent counselors provide career guidance and course information in traditionally female fields to males and vice versa (also in terms of minorities and the handicapped).

k. Are supportive counseling and activities offered to students who are enrolled in courses that have been considered nontraditional for their race, color, national origin, sex, and handicap? (Suggested only)

	Yes(S)	No
Race,etc.		
Sex		
Handicap		

k. ___ Remedial courses for students.
___ Support groups for nontraditional students.

l. Have efforts been made to encourage students to consider how bias and stereotyping limit their options and opportunities with regard to their race, color, national origin, sex, and handicap? (Suggested only)

	Yes(S)	No
Race,etc.		
Sex		
Handicap		

l. ___ Charts and tables comparing salaries in the different occupations.
___ Charts and tables showing the probabilities of being a single head of household at sometime.

B. Assessment, Admissions, and Transfers.

1. Assessment for Admissions

a. Are students selected or judged for admission to vocational education programs on the basis of criteria that do not have the effect of disproportionately excluding persons of a particular race, color, national origin, sex, or handicap? (Required, subject to rebuttal)

	Yes(R)	No
Race,etc.		
Sex		
Handicap		

a. ___ List of all tests (by name of test and/or form used) administered during the past two years and the current academic year, and the number of males and females and whites and non-whites tested with each.
___ List of any other appraisal instruments used in counseling students or assigning them to programs.
___ A description of the internal procedures used by the school district for the nondiscriminating administration and interpretation of appraisal instruments.
___ Statistics showing selection effects of all tests and other assessment instruments as a function of race, color, national origin, sex, or handicap.

b. If the answer to the above question is "no", can you demonstrate that such criteria have been validated as essential to participation in a given program and that alternative equally valid criteria which do not have such a disproportionate adverse effect are unavailable? (Examples of admissions criteria that must meet this test are past academic performance, record of disciplinary infractions, counselors' approval, teachers' recommendations, interest inventories, high school diplomas and standardized tests, such as the Test of Adult Basic Education (TABE).) (Required)

	Yes(R)	No
Race,etc.		
Sex		
Handicap		

b. ___ Proof of validity for all selection criteria that have disproportionate effects as a function of race, color, national origin, sex, or handicap.
___ Proof that alternative equally valid criteria which do not have disproportionate adverse effect are unavailable.

c. When tests are administered to students with impaired sensory, manual, or speaking skills; do you ensure that the tests are administered so as to ensure accurate measurement of the students' aptitude or achievement levels? (Required)

Yes(R)	No	N/A

c. ___ Methods for administering tests
___ List of students tested
___ Documentation of feedback from students

d. When tests are administered to students with limited English-speaking skills, do you ensure that the tester is "fluent" in the language of the students to be tested? (Required)

Yes(R)	No	N/A

d. ___ List of persons who administered or assisted in testing who are "fluent" in the language of limited English-speaking students.
___ Feedback from limited English-speaking students.

2. Admissions

a. An introductory, preliminary, or exploratory ccurse may not be established as a prerequisite for admission to a program unless the course has been and is available without regard to race, color, national origin, sex, and handicap with one exception. Has this provision been satisfied? (Suggested only)

	Yes(S)	No
Race,etc.		
Sex		
Handicap		

a. ___ Policy documents stating prerequisites.
___ Enrollment figures as a function of race, color, national origin, sex, and handicap for all prerequisite courses.

b. If the answer to the above question is "no", has the prerequisite course that was formerly only available on a discriminatory basis been demonstrated (a) to be essential to participation in the program and (b) to be presently available to those seeking enrollment for the first time and to those formerly excluded? (Required)

Yes(R)	No	N/A

b. ___ Proof that such courses are essential.
___ Proof that such courses are presently open to al seeking enrollment.
___ Proof that such courses are presently available to those formerely excluded.

c. Do you avoid restriction of admission to vocational education programs because, as a member of a national origin minority with limited English language skills, a prospective student cannot participate in and benefit from vocational instruction to the same extent as a student whose primary language is English? (It is the responsibility of your school to identify such applicants and assess their ability to participate in vocational instruction. Acceptable methods of identification include: (1) identification by administrative staff, teachers, or parents of secondary level students; (2) identification by the student in postsecondary or adult programs; and (3) appropriate diagnostic procedures, if necessary.) (Required)

Yes(R)	No	N/A

c. ___ List of students who were not admitted to requested programs.

d. Have steps been taken to open all vocational programs to national origin minority students mentioned above? (A local educational agency must demonstrate that a concentration of students with limited English language skills in one or a few programs is not the result of discriminatory limitations upon the opportunities available to such students.) (Required)

Yes(R)	No	N/A

d. ___ Number of limited English-speaking students compared with number in vocational programs.

e. Have you avoided a system for admission to a secondary vocational education center or program that limits admission to a fixed number of students from each sending school included in the center's service area? (Such a system may disproportionately exclude students from the center on the basis of race, color, national origin, sex, or handicap. Example: Assume 25 percent of a school district's high school students are black and that most of those black students are enrolled on one high school; the white students, 75 percent of the district's total enrollment, are generally enrolled in the five remaining high schools. A system of admission to the secondary vocational education center that limits eligibility to a fixed and equal number of students from each of the district's six high schools is prohibited.) (Required)

Yes(R)	No	N/A

e.___ Policy on "admissions" to vocational center.

f. Are students who have completed the required prerequisites permitted to enter cooperative courses, work study, and apprentice programs regardless of race, color, national origin, sex, and handicap? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

f. ___ Instructor's statement pertaining to reasons for acceptance or rejection of each student.
___ Class rolls identifying enrollees.

g. When particular courses are found to have disproportionate enrollment as a function of race, color, national origin, sex, or handicapped status, have procedures been specified to ensure that:

- counselors are not making course assignments differentially on the basis of student race, color, national origin, sex, or handicap? (Required)

Yes(R)	No

- counselors do not discourage or prohibit student course enrollment on the basis of race, color, national origin, sex, or handicap? (Required)

Yes(R)	No

- counseling materials do not state or imply (in either text, language, or photographs) that certain courses, programs, academic careers or life choices are more suitable to students of one race, color, national origin, sex, than the other, or for the nonhandicapped? (Required)

Yes(R)	No

g. ___ A breakdown of course enrollment by race, color, national origin, sex, and handicapped status of students in all vocational courses.

___ Name and number of all vocational classes enrolling disproportionate numbers of students of one race or sex, etc., along with the school district's explanation of why enrollment in such courses is predominantly of one race or sex, etc.
___ Results of materials review.

___ Description of internal procedures being used to ensure that appraisal and counseling materials do not discriminate on the basis of race, color, national origin, sex, or hardicap.

h. Are secondary level handicapped students placed in the regular educational environment of any vocational education program to the maximum extent appropriate to the needs of the students unless it can be demonstrated that the education of the handicapped persons in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily? (Handicapped students may be placed in a program only after your school satisfies the provisions of the Department of Education's regulations (45 Code of Federal Regulations, Part 84) relating to evaluation, placement, and procedural safeguards. If a separate class or facility is identifiable as being for handicapped persons, are the facility, the programs, and the services comparable to the facilities, programs and services offered to nonhandicapped students? (Required)

Yes(R)	No

h. ___ Copy of Individual Educational Plan (I.E.P.)for each secondary handicapped student.
___ Analysis of I.E.P. - strengths and weaknesses of student.
___ Analysis of vocational component of I.E.P.
___ Feedback from handicapped students.
___ Copy of school process for identifying, evaluating, and placing handicapped students in programs.
___ Feedback from persons serving on committees for placing handicapped students into programs.

i. Does your school avoid denying handicapped students access to vocational education programs or courses because of architectural or equipment barriers, or because of the need for related aids and services or auxiliary aids? (If necessary, schools must (1) modify instructional equipment, (2) modify or adapt the manner in which the courses are offered (3) house the program in facilities that are readily accessible to mobility impaired students or alter facilities to make them readily accessible to mobility impaired students, and (4) provide related aids or services that assure secondary students an appropriate education.) (Required)

Yes(R)	No

i. ___ Copy of self-study (under Section 504)
___ Copy of transition plan.
___ List of physically handicapped students enrolled in vocational programs.

j. Do you avoid directing handicapped students away from certain occupations or professions because of job opportunities? (Required)

Yes(R)	No

k. Are changing rooms, showers, and other facilities for students of one sex comparable to those provided to students of the other sex? (This may be accomplished by alternating use of the same facilities or by providing separate comparable facilities.) (Required)

Yes(R)	No

l. Are such facilities adapted or modified to the extent necessary to make the vocational education program readily accessible to handicapped persons? (Required)

Yes(R)	No

m. If your local educational agency has agreements to provide supplementary related aids, services, and auxiliary aids to handicapped persons, have the specified aids, services, and auxiliary aids been provided? (Required)

	Yes(R)	No	N/A
Race,etc.			
Sex			
Handicap			

m. ___ Copies of interagency agreements.
___ Student records.
___ Monitoring records.

n. Have you ensured that handicapped students who receive a program of remedial work are not delayed in fulfilling their vocational program requirements with the help of supplementary related aides, services, and auxiliary aids? (Required)

	Yes(R)	No	N/A
Race,etc.			
Sex			
Handicap			

n. ___ Student records.

o. Do you use an I.E.P. as the basis for determining the vocational education needs of handicapped students? (Suggested)

Yes(S)	No

o. ___ I.E.P. format

p. Do you avoid removing pregnant females from regular vocational classes or provide for comparable classes and service? (Required)

	Yes(R)	No	N/A
Race,etc.			
Sex			
Handicap			

p. ___ Policies for special schools.
___ Student records.

q. Do you provide regular vocational classroom instruction for females with children or provide for comparable classes and services? (Suggested)

	Yes(S)	No	N/A
Race,etc.			
Sex			
Handicap			

q. ___ Policies for special schools.
___ Student records.

r. Are all vocational students allowed to join their program area's vocational student organization with all rights and privileges regardless of race, color, national origin, sex, or handicap? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

r. ___ Clubs' constitutions and bylaws.
___ Clubs' membership lists with the identification of members over a 3 year period.
___ Club officers, committee chairpersons, and members.
___ Newsletters and articles pertaining to activities of members.

s. Do you request anonymous student evaluations concerning any forms of discrimination and/or bias that may be felt to exist in any classroon? (Suggested only)

Yes(S)	No

s. ___ Copy of evaluation questionnaire.

t. Do you have a student advisory committee to offer recommendations to solve bias and stereotyping problems? (Suggested only)

Yes(S)	No

t. ___ Names of student advisory committee members.
___ Minutes of committee's meetings.

u. Are the names, addresses, and telephone numbers of Title IX and Section 504 coordinators posted on bulletin boards? (Required)

Yes(R)	No

v. Have you provided remedial instruction for students who lack certain necessary skills, but who otherwise have the ability to succeed in vocational programs if these students desire vocational programs? (Required)

	Yes(R)	No	N/A
Race, etc.			
Sex			
Handicap			

v. ___ Policies.
___ Student records.

3. Transfer

a. If you permit "dual" enrollment in community college, technical college, or technical institute courses, do you avoid "adverse" dual enrollment rates based on race, color, national origin, sex, or handicapped status? (Suggested, if possible)

	Yes(S)	No	N/A
Race, etc.			
Sex			
Handicap			

a. ___ Written transfer policy.
___ Data showing how policy is publicized.
___ Data showing how policy is administered.
___ Data showing frequency of use by race, color, national origin, sex, and handicapped status.

b. If the answer to the above question is "no", do you still manage to avoid illegal discrimination based on race, color, national origin, sex, or handicapped status? (Required)

	Yes(R)	No	N/A
Race, etc.			
Sex			
Handicap			

b. ___ List of students by race, color, national origin, sex, and handicapped status who pursue vocational courses at other high schools.

c. If you provide opportunities for students to pursue vocational courses at other than their "home" high schools, do you provide these opportunities without "adverse" effect based on race, color, national origin, sex, or handicap? (Suggested, if possible)

	Yes(S)	No	N/A
Race, etc.			
Sex			
Handicap			

d. If the answer to the above question is "no", do you still manage to avoid illegal discrimination based on race, color, national origin, sex, or handicapped status? (Required)

	Yes(R)	No	N/A
Race, etc.			
Sex			
Handicap			

e. Do you provide free transportation for students pursuing courses at other than their "home" high schools, so that all students have equal opportunities to enjoy these opportunities regardless of race, color, national origin, sex, or handicap? (Suggested)

	Yes(S)	No	N/A
Race, etc.			
Sex			
Handicap			

e. ___ Transportation policy.

C. Grading and Placements

1. Do you avoid differential grading results on the basis of race, color, national origin, sex, and handicap? (Suggested)

Yes(S)	No

1. ___ Distribution of grades as a function of race, color, national origin, sex, and handicap.
___ Course completions as a function of race, color, national origin, sex, and handicap.

2. If the answer to the above question is "no", have grading standards and competency records been validated in terms of satisfactory job performance? (Required)

Yes(R)	No

2. ___ Proof of validation.

3. Do suspensions reflect an absence of potential bias on the basis of race, color, national origin, sex, or handicap? (Suggested)

	Yes(S)	No
Race, etc.		
Sex		
Handicap		

3. ___ A listing of suspensions by race, color, national origin, and sex of students.

4. Do records of other disciplinary actions taken against students reveal an absence of potential discrimination on the basis of race, color, national origin, sex, and handicap? (Suggested)

	Yes(S)	No
Race, etc.		
Sex		
Handicap		

4. ___ Analysis of the records of disciplinary action taken against students for the past academic year.

D. Graduation, Placement, and Follow-Up

1. Is employment and job placement assistance provided to students without regard to race, color, national origin, sex, and handicap:

- in cooperative education programs? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

- in work study programs? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

- in job placement programs? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

1. ___ Records of students assisted (by race, color, national origin, sex, and handicap) over the past three years.
___ Names of students not placed on jobs and reasons why.
___ List of students in work study programs over past three years.
___ Feedback from students.
___ Feedback from employers.

2. Do you ensure that employers or prospective employers do not discriminate against students participating in cooperative education, work study and job placement programs on the basis of race, color, national origin, sex, or handicap in --

		Yes(R)	No
Recruitment? (Required)	Race,etc.		
	Sex		
	Handicap		
Hiring? (Required)	Race,etc.		
	Sex		
	Handicap		
Placement? (Required)	Race,etc.		
	Sex		
	Handicap		
Assignment to work tasks? (Required)	Race, etc.		
	Sex		
	Handicap		
Hours of employment? (Required)	Race, etc.		
	Sex		
	Handicap		
Levels of responsibility? (Required)	Race,etc.		
	Sex		
	Handicap		
Pay? (Required)	Race, etc.		
	Sex		
	Handicap		

2. ___Copy of employers' statements of nondiscrimination.
___List of employers dropped due to discrimination.
___Feedback from students in programs.
___Copy of any materials and policies provided employers relative to the civil rights of students.
___Feedback from employers.

___Analysis of "training plans" compared with actual student experiences on the job.

3. Do written agreements for the referral or assignment of students to an employer contain an assurance from the employer that students will be accepted and assigned to jobs and otherwise treated without regard to race, color, national origin, sex, or handicap? (Required)

Yes(R)	No

3. ___Records of past referrals of students to employers.
___Copy of written agreements.

4. Do instructors refuse to honor any employer's request for students who are free of handicaps or for students of a particular race, color, national origin, or sex? (Required)

Yes(R)	No

4. ___List of employers dropped due to discrimination.

5. Have all agencies, organizations, or individuals whom the school assists or sponsors in making employment available to students submitted assurances of nondiscrimination on the basis of race, color, national origin, sex, and handicap? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

6. Are requests for referrals of potential student employees made without specifications of race color, national origin, sex, or handicapped status? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

7. Do reviews of records of student employment referrals indicate nondiscrimination by race, color, national origin, sex, and handicap in:

- Hiring? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

- Job Assignment? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

- Salaries? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

- Promotions? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

8. Are student employment referrals made without regard to race, color, national origin, sex, and handicap? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

9. Are employment listings made without specifications on the basis of race, color, national origin, sex, or handicapped status. (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

10. Are graduation requirements the same for all students regardless of their race, color, national origin, sex, and handicap? (i.e. if industrial arts and home economics are required, are both required for students of both sexes?) (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

5. ___ File of nondiscrimination statements from all organizations in work study and other programs (i.e. written assurances of nondiscrimination).

6. ___ Analysis of students placed on jobs vs. those not placed by race, color, national origin, sex, and handicap.

7. ___ Listing of student placements and compensation by race, color, national origin, sex, and handicap in work study programs.
___ Pay scale of students.

8. ___ A list of reasons why co-op students are unemployed if unemployment is differential by race, color, national origin, sex, or handicap.

9. ___ List of referrals to employers.

10. ___ A listing of graduation requirements.

Chapter III

Staff: Preventing Discrimination and Promoting Equity at Each Stage of the Staffing Process

Basic Standards:

1. "Original" Discrimination -- Do you have an adequate program for the detection, prevention, and elimination of "original" discrimination based upon race, color, national origin, sex, and handicapped status of staff and potential staff?

	Yes	No
Race, etc.		
Sex		
Handicap		

2. "Reverse" Discrimination -- Do you have an adequate program for the detection, prevention, and elimination of "reverse" discrimination based upon race, color national origin, sex, and handicapped status of staff and potential staff; more specifically, do you avoid "reverse" discrimination in your program to correct "original" discrimination against staff and potential staff?

	Yes	No
Race, etc.		
Sex		
Handicap		

3. Employment Standards -- Do you avoid any erosion of any valid or potentially valid employment standards for staff or potential staff in your program to deal with "original" discrimination?

	Yes	No
Race, etc.		
Sex		
Handicap		

Chapter III: Staff: Preventing Discrimination and Promoting Equity at Each Stage of the Staffing Process

A. Recruitment

1. In general do you avoid engaging in any employment practice that discriminates against any employee or applicant for employment on the basis of race, color, national origin, sex or handicap? (Recipients of vocational funds may not engage in any employment practice that discriminates on the basis of race, color, or national origin if such discrimination tends to result in segregation, exclusion or other discrimination against students.) (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

2. Do you avoid limiting recruitment for employees to schools, communities or companies disproportionately composed of persons of a particular race, color, national origin, sex, or handicapped status except as required to overcome the effects of past discrimination? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

3. Have you been able to avoid significant "underrepresentation" or "overrepresentation" of staff of "protected" and "unprotected" races, colors, national origins, sexes or handicapped statuses in all program areas? (Suggested)

	Yes(S)	No	N/A
Race, etc.			
Sex			
Handicap			

4. If not, can you "prove" that you have hired the most qualified persons available to you in the relevant labor market regardless of race, color, national origin, sex, or handicap? (Required)

Yes(R)	No	N/A

5. Have you taken steps to overcome the effects of past discrimination in the recruitment, hiring, and assignment of faculty? (Such steps may include the recruitment or reassignment of qualified persons of a particular race, national origin, or sex, or handicapped status.) (Required)

Yes(R)	No	N/A

SUGGESTED DOCUMENTATION (Check those you feel you could provide.)

1. ___ Job announcements published in all media.
   ___ Advertisements for employees.
   ___ Criteria for selection.
   ___ Questions asked interviewees.
   ___ Feedback from interviewees.

2. ___ Recruitment practices.

3. ___ List of staff by race, color, national origin, sex, and handicap with pay grades, salaries, promotions, duties, etc.

4. ___ Records of applicants.
   ___ Validation of standards by which applicants are selected.

5. ___ Documentation of steps taken.
   ___ Affirmative action plans.

6. If you have previously engaged in discrimination against "protected" groups in employment, can you prove that you have not and are not engaged in "reverse" discrimination in recruitment against "unprotected" groups in order to correct this past discrimination? (Suggested)

	Yes(S)	No	N/A
Race, etc.			
Sex			
Handicap			

7. In particular, have you taken care to ensure that applicant pools for staff positions are representative on the basis of the number of qualified persons by race, color, national origin, sex, or handicapped status? (Suggested)

Yes(S)	No	N/A

8. Have you reviewed your relationships with employment and referral agencies to ensure that they do not discriminate on the basis of race, color, national origin, sex, or handicap in referrals? (Required)

Yes(R)	No

9. Have you validated recruitment standards wherever they have "adverse" effects against "unprotected" groups? (Required)

Yes(R)	No	N/A

10. If you have validated recruitment standards and in so doing have identified validated standards which have adverse effect on "protected" groups, can you prove that other comparable standards are not available which do not have adverse effects? (Required)

	Yes(R)	No	N/A
Race, etc.			
Sex			
Handicap			

11. If you have not validated recruitment standards and have significant "underrepresentation" of "protected" groups, have you sought the best advice available about how to validate recruitment standards rather than relaxing standards? (Suggested)

Yes(S)	No	N/A

12. Have you avoided denial of employment to any handicapped persons because of the need for reasonable accomodation to the physical or mental limitations of these persons? (Suggested)

Yes(S)	No

6. ___ Records of applicants and applications.
___ Employment practices.
___ Affirmative action plans.

7. ___ Recruitment policies and practices.
___ File of applicants.

8. ___ Employment and referral agencies.
___ Universities and colleges.
___ Labor unions.
___ Professional organizations.
___ Organizations providing services to the handicapped.

9. ___ Samples of test criteria.
___ Lists of employees hired and rationale.
___ File of applications (maintained for three years.

10. ___ Copy of recruitment standards.
___ Validation process.

B. Hiring

1. Do pre-employment inquires avoid any references to the potential or actual marital, parental, or family status of an applicant as well as to the applicant's race, color, national origin, sex, or handicap? (Required)

	Yes(R)	No
Race,etc.		
Sex		
Handicap		

2. Are nepotism policies written and applied with equal impact regardless of race, color, national origin, sex, or handicap? (Suggested)

Yes(S)	No

3. Have you established and maintained faculty salary scales and policy based upon the conditions and responsibilities of employment, without regard to race, color, national origin, sex, or handicap? (Required)

Yes(R)	No

4. Do you provide equal employment opportunities for teaching and administrative positions to handicapped applicants who can perform the essential functions of the position in question? (Required)

Yes(R)	No

5. Are reasonable accommodations made for the physical or mental limitations of handicapped applicants who are otherwise qualified unless you can demonstrate that the accommodations would impose an undue hardship? (Required)

Yes(R)	No

C. Promotion

1. Are all policies, procedures, and criteria for employee selection for assignments and promotions in writing? (Suggested only for the protection of the local school.)

Yes(S)	No

2. Are all promotion opportunities posted and announced? (Suggested)

Yes(S)	No

1. ___ Applicant files. (Complaints by race, color, national origin, sex, or handicap should include evidence that the alleged unfairness or lack of objectivity is on the basis of race, color, national origin, sex, or handicap).

2. ___ Formal policy on nepotism.

3. ___ Copy of policy, salary scales, conditions, and responsibilities of employment.

4. ___ Local board policy on equal employment opportunity.
___ Number of handicapped staff employed vs. number of applicants who are handicapped.

5. ___ List of accommodations made.

1. ___ Copy of policy and practices.

2. ___ Average entry salary by sex. Average salary and grade of 5, 10, and 15-year employees by race, color, national origin, sex and handicapped status.
___ Payroll Data:
1) race, color, national origin, sex, and handicapped status;
2) name or other unique identifier;
3) job title and location of assignment;
4) highest degree or (if counted for salary purposes) highest degree and hours beyond that degree;
5) total years experience;
6) total years experience in school district;
7) yearly salary, including pay for extra assignments and description of such assignments;
8) number of months or days employed per year;
9) full-time or part-time;
10) dates of last two promotions.

___ Average time in grade (between promotions) of employees by race, color, national origin, sex, and handicapped status.

3. To help achieve equal opportunities for individuals of "protected" groups, are any of the following programs available:

- Remedial? (Suggested)

	Yes(S)	No
Race, etc.		
Sex		
Handicap		

- Job Training? (Suggested)

	Yes(S)	No
Race, etc.		
Sex		
Handicap		

- Job Retraining? (Suggested)

	Yes(S)	No
Race, etc.		
Sex		
Handicap		

4. If the above programs are available, are they as available to disadvantaged members of the "unprotected" groups as to disadvantaged members of "protected" groups? (Suggested)

Yes(S)	No

3. ___ Bulletin boards, posters announcing promotional opportunities.

D. On-the-Job Status

1. Pay

a. Do persons who are hired for comparable jobs, receive equal salaries regardless of race, color, national origin, sex, or handicap? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

b. Has a thorough statistical analysis been completed to determine where imbalances in pay exist on the basis of race, color, national origin, sex, and handicapped status? (Suggested)

Yes(S)	No

c. Will this type of statistical analysis be done on a regular basis (e.g. annually)? (Suggested)

Yes(S)	No

d. Are criteria, which are used for determining salary for each job classification and within each job classification, equitable and available for inspection by all present and potential employees? (Required)

Yes(R)	No

e. Are criteria for determining salaries for and within each job classification, developed and applied without regard to race, color, national origin, sex, and handicap? (Required)

	Yes(S)	No
Race, etc.		
Sex		
Handicap		

2. Assignment of Duties

a. Do job classifications with substantially the same duties and qualifications have the same title and salary? (Required)

Yes(R)	No

a. ___ Copy of pay scale and salaries paid each individual.

b. ___ Statistical analysis showing breakdown by race, color, national origin, sex, and handicap.

c. ___ Policy.

d. ___ Criteria.

e. ___ Criteria.

a. ___ Organizational chart of school system personnel for both the administrative staff and for separate schools.

___ The number and percentage of employees by race, color, national origin, sex, and handicap for each major job classification (teacher, supervisor, administrator), by level (elementary, junior high, high, district-wide, sub-district wide).

___ List of all extracurricular assignments undertaken by professional and nonprofessional staff, including --

a. name, race, color, national origin, sex, and handicapped status of individual;
b. brief description of assignment (choir director, etc.);
c. amount of any additional salary received for the assignment;
d. information needed to determine whether extracurricular activities undertaken by staff were voluntary or mandatory.

___ List of travel funds expended by staff in past year on the basis of race, color, national origin, sex, or handicap.

b. Does assignment of staff to ranks, levels or job classifications suggest a pattern of equal assignment of comparable qualified males and females, whites and nonwhites as well as handicapped and nonhandicapped staff? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

b. ___ List of staff assignments, pay, etc.

3. Disciplinary Procedures

a. Are job demotions, suspensions, and firings carried out without discrimination on the basis of race, color, national origin, sex, or handicap? In particular, do you require the same standards of performance for members of "protected" groups as you do for members of "unprotected" groups? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

a. ___ Listing of employees demoted or suspended by race, color, national origin, sex, and handicapped status.
___ Reason for demotion or suspension.
___ All records or documentation pertaining to discipline.

4. Grievance Procedures

a. Is a grievance procedure established whereby employees who have discrimination complaints (on the basis of race, color, national origin, sex, or handicap) can report such complaints to persons who are knowledgeable concerning antidiscrimination laws and regulations? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

a. ___ Copies of notice(s) sent to students and employees stating the names(s), business address(es) and telephone number(s) of the employee(s) designated to coordinate your compliance efforts.

b. Have steps been taken to insure that all employees are aware of this procedure? (Required)

Yes(R)	No

b. ___ Copy of grievance procedure.
___ A record of all grievance problems and solutions.
___ Dissemination of grievance procedures.

c. Are members of "unprotected" and "protected" groups equally likely to employ grievance procedures when they feel thay have experienced discrimination based on race, color, national origin, sex, and handicap? (Suggested)

Yes(S)	No

c. ___ List of persons who have filed grievances in past three years by race, color, national origin, sex, and handicapped status.

5. Benefits

a. Are all benefits which are available to wives and families of male employees available to the husbands and families of female employees? (Required)

Yes(R)	No

a. ___ Documents listing benefits.

b. Are maternity leave benefits available to married and unmarried employees? (Required)

Yes(R)	No

b. ___ Board policy of leave benefits.

c. Are employees who return to work after a leave of absence for childbearing and/or child care reinstated without loss of seniority or accrued benefits? (Required)

Yes(R)	No

c. ___ Record of persons who have taken leave over past three years.

d. Is the child birth/child care leave policy the same as, and equal to, other leave policies? (Required)

Yes(R)	No

d. ___ Copy of leave policies.

e. Are leave policies (including paid and unpaid leave for educational or professional purposes, sick leave, annual leave, leave for temporary disability, and leave for purposes of personal necessity) equal for members of "protected" and "unprotected" groups, respectively? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

f. Are all agency-sponsored activities including social and recreational programs, open to all employees regardless of their race, color, national origin, sex, and handicap? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

g. Are all fringe benefits-- medical, hospital, accident or life insurance, retirement, or profit-sharing policies and plans--provided without regard to race, color, national origin, sex, and handicap? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

h. Do fringe benefit plans offered or administered by the agency provide for equal periodic benefits of equal agency contributions for all employees regardless of their race, color, national origin, sex, and handicapped status? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

i. Are all training, internships, staff development opportunities, tuition grants, or other compensation designed to prepare employees for advancement equally available to disadvantaged members of "protected" and "unprotected" groups? (Required)

Yes(R)	No

j. Are pregnancy and related conditions treated as any other temporary disability purposes of leave, seniority, and other employment benefits? (Required)

Yes(R)	No

E. Retention and Retirement

1. Are retirement benefits, insurance pensions, and other welfare programs equal for all employees regardless of their race, color, national origin, sex, and handicap? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

e. ___ Copies of all policies relating to granting of leave of absence, including those for temporary disabilities, extended medical leave, and for pregnancy and related conditions.

f. ___ Agendas, descriptions of such functions.

g. ___ Copies or descriptions of any medical, hospital, accident, life insurance or retirement policies or plans which the recipient has administered, offered, operated, or participated in since June 23, 1972.

i. ___ Descriptions of any administrative internships or training programs operated by the LEA or in which the LEA personnel participate, including:
   a. race, color, national origin, sex, and handicapped status of individuals participating in such programs for the past five years;
   b. means used to inform potential applicants or enrollees of the program;
   c. criteria for selecting participants.

1. ___ Copy of retirement and pension plan(s).
   ___ Copies of policies related to retirement.

2. Are employee contributions for retirement benefits equal for all employees regardless of their race, color, national origin, sex and handicap? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

3. Does the retirement or pension plan establish the same optional or mandatory retirement ages for all employees regardless of their race, color, national origin, sex, and handicap? (Required)

	Yes(R)	No
Race, etc.		
Sex		
Handicap		

Legal Citations

Chapter 2: "Students: Preventing Discrimination and Promoting Equity at Each Stage of the Educational Process"

A. Recruitment

1. Public Notification and Promotional Literature
   a. Federal Register, Vol. 44, No. 56, p. 17166.
   b. Federal Register, Vol. 44, p. 17166.
   c. Federal Register, Vol. 44, p. 17166.
   d. Federal Register, Vol. 44, p. 17166-17167.

2. Promotional Activities
   a. Federal Register, Vol. 44, p. 17167.
   b. Federal Register, Vol. 44, p. 17167.
   c. Federal Register, Vol. 44, p. 17167.
   d. Federal Register, Vol. 44, p. 17167.
   e. Not referenced.

3. Recruitment During Prevocational Education
   a. Not referenced.
   b. Federal Register, Vol. 44, p. 17167.
   c. Federal Register, Vol. 44, p. 17167.
   d. Not referenced.

4. Recruitment During Other Vocational Courses
   a. Not referenced.
   b. Federal Register, Vol. 44, p. 17167.
   c. Not referenced.
   d. Not referenced.
   e. Not referenced.
   f. Not referenced.

5. Counseling and Guidance
   a. Federal Register, Vol. 44, p. 17167.
   b. Federal Register, Vol. 44, p. 17167.
   c. Federal Register, Vol. 44, p. 17167.
   d. Federal Register, Vol. 44, p. 17167.
   e. Federal Register, Vol. 44, p. 17167.
   f. Not Referenced.

g. Not referenced.
h. Not referenced.
i. Title IX, 86.36(b).
j. Not referenced.
k. Not referenced.
l. Not referenced.

B. Assessment, Admissions, and Transfers

1. Assessment for admissions
   a. Federal Register, Vol. 44, p. 17166.
   b. Federal Register, Vol. 44, p. 17166.
   c. Federal Register, Vol. 44, p. 17167.
   d. Federal Register, Vol. 44, p. 17167.

2. Admissions
   a. May be required, Check Title IX, 86.34.
   b. Federal Register, Vol. 44, p. 17166.
   c. Federal Register, Vol. 44, p. 17167.
   d. Federal Register, Vol. 44, p. 17166.
   e. Federal Register, Vol. 44, p. 17166.
   f. Federal Register, Vol. 44, p. 17167.
   g. Federal Register, Vol. 44, p. 17167.
   h. Federal Register, Vol. 44, p. 17167.
   i. Federal Register, Vol. 44, p. 17166.
   j. Federal Register, Vol. 44, p. 17166.
   k. Federal Register, Vol. 44, p. 17167.
   l. Federal Register, Vol. 44, p. 17167.
   m. Federal Register, Vol. 44, p. 17167.
   n. Federal Register, Vol. 44, p. 17167.
   o. Not referenced.
   p. Title IX, 86.40 b(3).
   q. Not referenced.
   r. Title IX, 86.31 a.
   s. Not referenced.
   t. Not referenced.
   u. Title IX, 86.8a.
   v. ----------

3. Transfer
   a. Not referenced.
   b. ----------
   c. Not referenced.
   d. ----------
   e. Federal Register, Vol. 44, p. 17166.

C. Grading and Placements
1. Title IX, 86.31 a and b.
2. ----------
3. Title IX, 86.31 (4).
4. Title IX, 86.31 (4).

D. Graduation, Placement, and Follow-Up
1. Federal Register, Vol. 44, p. 17167.
2. Federal Register, Vol. 44, p. 17167.
3. Federal Register, Vol. 44, p. 17167.
4. Federal Register, Vol. 44, p. 17167.
5. Federal Register, Vol. 44, p. 17167.
6. Federal Register, Vol. 44, p. 17167.
7. Federal Register, Vol. 44, p. 17167.
8. Federal Register, Vol. 44, p. 17167.
9. Federal Register, Vol. 44, p. 17167.
10. Federal Register, Vol. 44, p. 17167.

Chapter 3: "Staff: Preventing Discrimination and Promoting Equity at Each Stage of the Staffing Process"

A. Recruitment
   1. Federal Register, Vol. 44, p. 17167.
   2. Federal Register, Vol. 44, p. 17168.
   3. Federal Register, Vol. 44, p. 17168.
   4. Federal Register, Vol. 44, p. 17168.
   5. Federal Register, Vol. 44, p. 17168.
   6. ----------
   7. ----------
   8. Title IX, 86.51 a (3).
   9. Federal Register, Vol. 44, p. 17168.
   10. Federal Register, Vol. 44, p. 17168.
   11. ----------
   12. ----------

B. Hiring
   1. Title IX, 86.60 a and b.
   2. ----------
   3. Federal Register, Vol. 44, p. 17168.
   4. Federal Register, Vol. 44, p. 17168.
   5. Federal Register, Vol. 44, p. 17168.

C. Promotion
   1. Not referenced.
   2. Not referenced.
   3. Not referenced.
   4. Not referenced.

D. On the job status
   1. Pay
      a. Title IX, 86.54 a and b.
      b. Not referenced.
      c. Not referenced.
      d. Title IX, 86.51 b(4).
      e. Title IX, 86.51 b(4).
   2. Assignment of duties
      a. Title IX, 86.55.
      b. ----------
   3. Disciplinary procedures
      a. Title IX, 86.51 b (2).

4. Grievance Procedures
   a. Title IX, 86.8 (b).
   b. Title IX, 86.8 (a).
   c. ----------
5. Benefits
   a. Title IX, 86.8 (b).
   b. Title IX, 86.57 2 a and b.
   c. Title IX, 86.51 b (b).
   d. Title IX, 86.51 b (b).
   e. Title IX, 86.57 2 (d).
   f. Title IX, 86.51 b (9).
   g. Title IX, 86.51 b (7).
   h. ----------
   i. Title IX, 86.51 b (8).
   j. Title IX, 86.57 2 (c).

E. Retention and Retirement
   1. Title IX, 86.56 b (3).
   2. Title IX, 86.56 b (3).
   3. Title IX, 86.56 b (3).

Key Terms and Concepts

Adverse Effect. Harm to members of "protected" groups by actions or policies which may have no overt discriminatory intent.

Affirmative Action. Action taken by an agency to remove or remedy the effects of past illegal discrimination as distinct from action to eliminate present illegal discrimination.

Bases of Discrimination. In pursuit of equity, governments may outlaw many different bases of discrimination. Race, color, national origin, sex, and handicap have all been the bases for legal discrimination in the past; these bases for "original" discrimination are no longer legal, although in some cases they may be the bases for legal "reverse" discrimination. Other bases of discrimination may be outlawed in the future; for example, age, height, weight, level of education, and so on, may all be outlawed in the future as bases of discrimination.

Checkpoints. Checkpoints are "snapshots" of the student-flow process and staff-flow process. They provide an opportunity to monitor discrimination or potential discrimination during these two processes. Some checkpoints have been identified as "required" while others have been identified as "suggested". The distinction between what agencies may be required to do and what they may have suggested for them to do is not always firm, however. Agencies may be required to do more if they have a record of past discrimination. They may also require things of themselves under voluntary compliance agreements that they might never be required to do under court order in the absence of voluntary compliance agreements.

Discrimination. "Original" discrimination is official or unofficial bias which existed prior to governmental intervention to prevent or remedy such discrimination against members of some groups. For example, "original" discrimination existed against blacks, indians, women, and the handicapped. "Reverse" discrimination is official or unofficial bias after governmental intervention against members of groups opposite from those which experienced "original" discrimination in order to prevent or remedy "original" discrimination. Measures to prevent or remedy "original" discrimination may be devised so that they create little or no "reverse" discrimination; on the other hand they may create a great deal of "reverse" discrimination. The question of how to prevent or remedy "original" discrimination without causing "reverse" discrimination often receives little attention or study from agencies as they seek to "voluntarily" comply with federal mandates to remedy "original" discrimination. Federal agencies which carry primary responsibility for civil rights compliance efforts are often reluctant to admit the existence of reverse discrimination; and this makes prevention of reverse discrimination necessarily much more difficult. Nevertheless, local and state educational agencies need not acquiesce in affirmative action plans which may cause "reverse" discrimination. More particularly potential victims need not acquiesce in affirmative action plans which may cause reverse discrimination, although they have not been well enough organized politically in the past to prevent many agencies from adopting plans which may have reverse discriminatory effect.

Disproportionate Impact. Policies and procedures may have greater effects on members of protected groups than others; these policies and procedures are said to have disproportionate impact. Although such policies and procedures may not be illegal, they must meet many tests that policies and procedures which do not have disproportionate impact do not have to meet.

Equity. Proponents of affirmative action believe that equitable and fair treatment of groups which have suffered in the past from discrimination requires agencies to go beyond simple enforcement of present legal prohibitions against discrimination. Equity is a term to describe the legal doctrines, rules, and techniques developed to enlarge and supplement present legal prohibitions against discrimination. While equity is a simple concept, determination of what actions may be equitable in specific circumstances may be extraordinarily difficult. Determination of what actions may be equitable in given circumstances requires that all parties who may be affected by the actions be represented -- not just those who seek to gain by the actions.

Past discrimination. Legal findings of past discrimination provide the basis for attempts to remedy the effects of past discrimination. Legal findings of past discrimination may lead either to court ordered remedial efforts or to "voluntary compliance" efforts. The distinction between court-ordered remedial efforts and "voluntary compliance" efforts is very important because agencies may volunteer to take actions with reverse discriminatory effect which courts could not order them to take; however, these agencies may then be required to honor their "voluntary compliance agreements". Past discrimination is rarely measured in any precise way which is unfortunate since required remediation should be based precisely upon past discrimination in order to avoid reverse discrimination.

Protected Groups. Groups which suffered original discrimination are sometimes termed "protected groups" in federal regulations. The appelation is based upon the assumption that members of these groups need protection of federal authorities on the basis of race, color, national origin, sex, and handicap while members of other groups do not. Members of these other gorups might be called members of "unprotected" groups.

Typology of Discrimination. The typology of discrimination provides the basis for finding and identifying illegal discrimination based on race, color, national origin, sex, and handicap.

Voluntary Compliance. Agencies often enter into "voluntary compliance" agreements in order to avoid the cost and embarrassment of court proceedings. The extent to which these agreements are truly "voluntary" is therefore open to serious question. "Voluntary compliance" agreements can easily incorporate provisions which involve reverse discrimination unless great care is taken to avoid this. Typically, advocates for members of groups that would suffer from reverse discrimination are not represented in the deliberations which lead to "voluntary compliance." (E.g. unequivocal advocates for prospective white, male employees are rarely included in proceedings which lead to "voluntary compliance" agreements with respect to employment. Advocates for members of "protected" groups which may have suffered from "original" discrimination are always involved in these deliberations.)

Basic Bibliography

Code of Federal Regulations, Title 45, Subtitle A, Part 80 -- Nondiscrimination Under Programs Receiving Federal Assistance Through the Department of Health, Education, and Welfare: Effectuation of Title VI of the Civil Rights Act of 1964.

Federal Register, Vol. 40, No. 108 (Wednesday, June 4, 1975) Nondiscrimination on the Basis of Sex in Education Program and Activities REceiving or Benefitting from Federal Financial Assistance.

Federal Register, Vol. 42, No. 86 (Wednesday, May 4, 1977) Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefitting from Federal Financial Assistance.

Federal Register, Vol, 43, No. 166 (Friday, August 25, 1978, Part IV) Adoption by Four Agencies of Uniform Guidelines on Employee Selection Procedures.

Federal Register, Vol. 44, No. 43 (Friday, March 2, 1979, Part IV) Adoption of Questions and Answers to Clarify and Provide a Common Interpretation of the Uniform Guidelines on Employee Selection Procedures.

Federal Register, Vol, 44, No. 56 (Wednesday, March 21, 1979) Vocational Education Programs Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap.

Memorandum for State Directors of Vocational Education and Others, July 1979, Subject: Procedures for Preparing the Methods of Administration Described in the Vocational Education Guidelines, From: Deputy Commissioner for Occupational and Adult Education and the Director of the Office for Civil Rights.

Methods of Administration for Complying with Civil Rights Requirements in Vocational Education Programs North Carolina State Board of Education, March 6, 1980.